



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,880	12/08/2003	Michael J. Shea	EX-4-COMM	9623
40283	7590	04/06/2007		
MICHAEL J. SHEA 1711 WIND HAVEN WAY VIENNA, VA 22182			EXAMINER SYED, FARHAN M	
			ART UNIT 2165	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/728,880

Applicant(s)

SHEA, MICHAEL J.

Examiner

Farhan M. Syed

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-45 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5-11, 13-15, 19-26, and 28-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Reed et al (U.S. Patent No. 5,862,325 and known hereinafter as Reed '325).

As per claims 1, 14, 15, 30, 31, 37, 38, and 45, Reed '325 teaches a system for communicating exerciser-related messages comprising (i.e. *"An automated communications system operates to transfer data, metadata and methods from a provider computer to a consumer computer through a communications network. The transferred information controls the communications relationship, including responses by the consumer computer, updating of information, and processes for future communications. Information which changes in the provider computer is automatically updated in the consumer computer through the communications system in order to maintain continuity of the relationship. The use of metadata and methods further allows for automating may of the actions underlying the communications, including communication acknowledgements and archiving of*

Art Unit: 2165

information. Service objects and partner servers provide specialized data, metadata, and method to providers and consumers to automate many common communications services and transactions useful to both providers and consumers. A combination of the provider and consumer programs and databases allows for additional functionality, including coordination of multiple users for a single database." The preceding text clearly indicates that a system for communicating messages is the electronic mail and processing e-mail. Communicating exerciser-related messages is merely an intended use of the prior art. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).)(Abstract): a database storing records of exercise activities for a plurality of exercisers (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message."*

The preceding text clearly indicates that non-relational database contains a set of records containing fields of information, which are storing records. The storing records of exercise activities for a plurality of exercisers are merely the intended use of the prior art. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. See *In re Casey*, 152 USPQ 235 (CCPA

1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).)(Column 5, lines 6-22); a processing system generating messages relating to one or more of the exercisers based on the records of exercise activities (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message."* The preceding text clearly indicates that a processing system is the new message processing.)(Column 5, lines 6-22); and a communication network interface communicating the messages over a communication network (i.e. *"Another approach to automating communications and data transfers is shared replicated database systems such as Lotus Notes and Collabra.Share. With these systems, information to be communicated is entered via a client program into one or more databases which may reside locally on client computers or on network server computers. These databases are then replicated to other server computers or local client computers throughout the system so that the data can be easily accessed by any other user of the system who needs the information and has the proper access privileges. Access privileges are controlled by one or more system administrators via the system servers. Some of these systems, notably Collabra Share, also allow users to "subscribe" to specific databases. These users can receive an e-mail notification from a database agent monitoring the database when a new entry or a certain condition has been made in that database. These systems may also employ electronic forms and forms processing languages to structure the data*

Art Unit: 2165

being entered into a database, and to take programmable actions based on the data entered. The architecture of these systems is designed for groups of users to share information related to specific topics, and to automate the transfer of data between different computer applications used by an organization. For this reason the core data structure of the architecture is a subject database or "forum". Each subject database covers a number of related interest topics under which all entries in the database are categorized. All copies of any subject database are synchronized throughout the system when data in any one copy has been changed." The preceding text clearly indicates that a communication network interface communicating is transmitting e-mails through a network to a user's computer. An ordinary person skilled in the art understands that in order to transmit data from the network to a computer, the computer must contain a communication network interface.)(Column 7, lines 63-66).

As per claims 5, 19, 33, and 40 Reed '325 teaches a system wherein the messages comprise e-mail messages (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message."* The preceding text clearly indicates that a processing system is the new message processing.)(Column 5, lines 6-22).

As per claims 6 and 20, Reed '325 teaches a system wherein the messages are communicated over the communication network to the one or more exercisers (i.e.

"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message." The preceding text clearly indicates that a processing system is the new message processing.)(Column 5, lines 6-22).

As per claims 7 and 21, Reed '325 teaches a system wherein the messages are communicated over the communication network to fitness consultants for the one or more exercisers (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of*

either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message."

The preceding text clearly indicates that a processing system is the new message processing.)(Column 5, lines 6-22).

As per claims 8, 22, 34 and 41, Reed '325 teaches a system wherein the database stores e-mail addresses for the exercisers and the messages comprise e-mail messages communicated over the communication network to the one or more exercisers using the e-mail addresses (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message."* The preceding text clearly indicates that a processing system is the new message processing.)(Column 5, lines 6-22).

As per claims 9 and 23, Reed '325 teaches a system wherein the messages comprise requests for replies from the one or more exercisers regarding their exercise activities (i.e. *"Electronic mail (e-mail) systems are another electronic communications system that*

provides some communications contact persistence. E-mail addresses and messages can be stored and indexed within e-mail programs, or externally in other locations. E-mail rules engines allow for some degree of automated storage or response to certain message contents. However, these rules engines are typically constrained to acting on certain known information about the messages, such as the address of the message provider, or on semantic rules such as keywords which must be guessed by the provider and consumer. There is no common communications frame of reference, i.e., a structured data format and operations methodology, against which both the provider and consumer can operate to filter, classify, and organize messages. The lack of a common frame of reference also severely limits the capability of either the provider or consumer to automatically process the contents of an e-mail message, or to automatically respond to the message besides the capability to automatically address a reply message.”(Column 5, lines 6-22).

As per claims 10 and 24, Reed '325 teaches a system wherein the processing system updates the records of exercise activities of replying exercisers based on their replies (i.e. “Communications objects represent a transfer of communications intelligence, in the form of data, metadata, and instructions, from a provider to a consumer who wishes to form a communications relationship with that provider. Once the communications object has been exchanged, further communications between the provider and consumer can carry greater intelligence because they can be be originated and received as transmissions between these two communications objects. Although these messages can be structured in any form, in a preferred embodiment they are simply a special communications object type called a message object 110. This means they can be generated, encoded, transmitted, received, and processed in the same fashion as any other communications object. The only difference is that the generation or receipt of a message object may not result in an update to the sending or receiving communications object, but rather the execution of one or more methods at the sending or receiving program, and optionally changes to other objects or object components in the sending or

receiving databases. A communications object update may be considered a special form of message object which includes changes to the receiving communications object.")(Column 42, lines 40-62).

As per claims 11 and 26, Reed '325 teaches a system wherein the processing system generates the messages automatically (i.e. *"An automated communications system operates to transfer data, metadata and methods from a provider computer to a consumer computer through a communications network. The transferred information controls the communications relationship, including responses by the consumer computer, updating of information, and processes for future communications. Information which changes in the provider computer is automatically updated in the consumer computer through the communications system in order to maintain continuity of the relationship. The use of metadata and methods further allows for automating many of the actions underlying the communications, including communication acknowledgements and archiving of information. Service objects and partner servers provide specialized data, metadata, and method to providers and consumers to automate many common communications services and transactions useful to both providers and consumers. A combination of the provider and consumer programs and databases allows for additional functionality, including coordination of multiple users for a single database."* The preceding text clearly indicates that a system for communicating messages is the electronic mail and processing e-mail. Communicating exerciser-related messages is merely an intended use of the prior art. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).)(Abstract).

As per claims 13, 28, 36, and 43, Reed '325 teaches a system wherein the database comprises one or more portions that are remotely accessible to the exercisers (i.e. *"FIG. 9D shows the internal structure of the Mass Storage Server (909). As shown in FIG. 9D, a*

Mass Storage Interface 951 provides high level methods that will be called by the Object Insertion Module (945) through RMI (Remote Method Invocation) to store Message Objects. The Mass Storage Interface 951 is the responsible for the actual communication with the Mass Storage Server, also referred to as the Database(953). The Mass Storage (953) is the actual location for storing and manipulating users' Messages, Correspondents, and Topic information. See FIG. 9-F for details on the entity relationship diagram of the database.")(Column 12, lines 3-13).

As per claims 25, 29, and 44, Reed '325 teaches a storage medium storing instructions that are executable to perform the method (i.e. "Other element composite types are useful for the storage, transmission, and display of communications content between the provider and consumer. Elements of this type include text blocks, graphics, and HTML. HTML elements are especially useful in the preferred embodiment as they can contain standard HTML documents which the consumer program 22 can pass directly, or with minor modifications, to the Web browser 50 for display.")(Column 8, lines 1-10).

As per claim 35, the limitations of this claim has been addressed and/or rejected based on the dependency of claim 31.

As per claim 39, Reed '325 teaches a method further comprising: receiving reply messages from the one or more exercisers regarding the workouts (i.e. "Various computer-based systems have been created to provide mechanisms for communicating information. The Internet and World Wide Web provide a network of a large number of information sources, providing a voluminous amount of information. Computer programs exist which can be executed on Internet-connected computers to search these sources to obtain desired information. Additionally, through the medium of hypertext, providers of World Wide Web pages can create links in their pages between items of related

information which can significantly aid consumers in finding desired information. However, the links to the information source are neither dynamic nor persistent; in the sense that they do not provide new or updated information once the consumer has found a topic of interest.")(Column 3, lines 12-13); and updating the data in the database based on the received reply messages (i.e. "Various computer-based systems have been created to provide mechanisms for communicating information. The Internet and World Wide Web provide a network of a large number of information sources, providing a voluminous amount of information. Computer programs exist which can be executed on Internet-connected computers to search these sources to obtain desired information. Additionally, through the medium of hypertext, providers of World Wide Web pages can create links in their pages between items of related information which can significantly aid consumers in finding desired information. However, the links to the information source are neither dynamic nor persistent; in the sense that they do not provide new or updated information once the consumer has found a topic of interest.") (Column 3, lines 12-13).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4, 12, 16-18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al (U.S. Patent No. 5,862,325 and known hereinafter as Reed '325) in view of Reed et al (U.S. Patent No. 6,044,205 and known hereinafter as Reed '205).

As per claims 2 and 16, Reed '325 does not explicitly teach a system wherein the messages are generated based on when the exercisers performed exercise activities.

Reed '205 teaches a system wherein the messages are generated based on when the exercisers performed exercise activities (i.e. *"Additionally, receipt and storage of the new or updated information can trigger other actions, such as automatically forwarding the information to another consumer, exchanging information with the consumer database 21, sending an automated response to the provider, or sending a message to another software program on the consumer's desktop. Again, this invention provides a means for such actions to be cooperatively controlled by both the provider and the consumer through the use of object methods, which is discussed below."*)(Column 10, lines 27-38).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Reed '325 with the teachings of Reed '205 to include a system wherein the messages are generated based on when the exercisers performed exercise activities with the motivation to coordinate the transfer and content of data, metadata, and instructions between databases in order to simplify, automate, and increase the intelligence of communications (Reed '205, column 1, lines 10-12).

As per claims 3 and 17, Reed '325 does not explicitly teach a system wherein the messages are generated based on whether the exercisers have performed exercise activities for a certain period of time.

Reed '205 teaches a system wherein the messages are generated based on whether the exercisers have performed exercise activities for a certain period of time

(i.e. *"The triggering of update methods is typically controlled by a system event in the consumer program 22. Alternatively, it could be triggered by the receipt of an update trigger message from the provider program 12. The timing of the system event is controlled by one or more preferences stored in the consumers global preferences instance (114, FIG. 3). Thus, the system event could happen upon startup of the consumer program 22, at a periodic interval during the programs operation, at a specific time of day, etc. The system event could also be dependent on monitoring the system activity level of the consumer computer 2, or on other system or environment variables."*)(Column 38, lines 37-48).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Reed '325 with the teachings of Reed '205 to include a system wherein the messages are generated based on whether the exercisers have performed exercise activities for a certain period of time with the motivation to coordinate the transfer and content of data, metadata, and instructions between databases in order to simplify, automate, and increase the intelligence of communications (Reed '205, column 1, lines 10-12).

As per claims 4 and 18, Reed '325 does not explicitly teach a system wherein the messages are generated based on physiological data for the exercisers measured during exercise activities.

Reed '205 teaches a system wherein the messages are generated based on physiological data for the exercisers measured during exercise activities (i.e. *"Additionally, receipt and storage of the new or updated information can trigger other actions, such as automatically forwarding the information to another consumer, exchanging information with the consumer database 21, sending an automated response to the provider, or sending a message to another software program on the consumer's desktop. Again, this invention provides a means for such actions to be cooperatively*

controlled by both the provider and the consumer through the use of object methods, which is discussed below.") (Column 10, lines 27-38).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Reed '325 with the teachings of Reed '205 to include a system wherein the messages are generated based on physiological data for the exercisers measured during exercise activities with the motivation to coordinate the transfer and content of data, metadata, and instructions between databases in order to simplify, automate, and increase the intelligence of communications (Reed '205, column 1, lines 10-12).

As per claims 12 and 27, Reed '325 does not explicitly teach a system wherein the processing system generates the messages automatically on a periodic basis.

Reed '205 teaches a system wherein the processing system generates the messages automatically on a periodic basis (i.e. *"The triggering of update methods is typically controlled by a system event in the consumer program 22. Alternatively, it could be triggered by the receipt of an update trigger message from the provider program 12. The timing of the system event is controlled by one or more preferences stored in the consumers global preferences instance (114, FIG. 3). Thus, the system event could happen upon startup of the consumer program 22, at a periodic interval during the programs operation, at a specific time of day, etc. The system event could also be dependent on monitoring the system activity level of the consumer computer 2, or on other system or environment variables."*) (Column 38, lines 37-48).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Reed '325 with the teachings of Reed '205 to include a system wherein the processing system generates the messages

Art Unit: 2165

automatically on a periodic basis with the motivation to coordinate the transfer and content of data, metadata, and instructions between databases in order to simplify, automate, and increase the intelligence of communications (Reed '205, column 1, lines 10-12).

Response to Arguments

6. Applicant's arguments, see page 14, filed 16 January 2007, with respect to figures 8A, 9, and 10 have been fully considered and are persuasive. The objection of the drawings has been withdrawn.

7. Applicant's arguments, see pages 14-15, filed 16 January 2007, with respect to claims 14, 25, 29, 37, and 44 have been fully considered and are persuasive. The rejection of these claims in a non-final office action dated 13 July 2006 has been withdrawn.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FMS



JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100